

MAINE STATE LEGISLATURE

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FOURTH REVISION.

THE
REVISED STATUTES

OF THE

STATE OF MAINE,

PASSED AUGUST 29, 1883, AND TAKING EFFECT JANUARY 1, 1884.

BY THE AUTHORITY OF THE LEGISLATURE.



PORTLAND:
PUBLISHED BY LORING, SHORT & HARMON
AND
WILLIAM M. MARKS, PRINTER.
1884.

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ERRATA:

**The following two leaves are
inserted because one or more pages
in this chapter have errors
noticed and corrected here.**

ERRORS.

ERROR IN THE TEXT OF THE REVISED STATUTES.

Page 63, § 3, line one.—Erase the last word “may.”

ERROR IN THE TEXT OF THE REPEALING ACT.

Page 999.—Transfer “Chapter 48, Section 6, of an act to facilitate the prompt administration of justice by establishing a superior court in Kennebec County,” from the year 1879 to 1878.

ERROR IN THE COMMISSIONER’S NOTES.

Pages 177, 178.—Erase the last two lines of page 177, and the first three lines of page 178.

ERRORS IN THE MARGINAL REFERENCES.

- Page 59, § 6, ¶ xx.—Erase “*R. S.*, c. 1, ¶ xx”, and supply, at the bottom of the page, “*R. S.*, c. 1, § 4”
- “ 66, § 24.—Erase “*Resolve of 1837, c. 52.*”
- “ 69, § 44.—Supply “*Resolve of 1840, c. 107.*”
- “ 72, § 68.—Erase “*See c. 6, §§ 40-67.*”
- “ “ § 70.—Erase “*R. S.*, c. 2, § 66.”
- “ 79, § 12, (note b).—“*See c. 18, § 73*” should read “*See c. 18, § 75.*”
“*See c. 30, § 15*” should read “*See c. 30, § 16.*”
- “ “ § 14.—Supply “*See c. 18, § 75.*”
- “ 83, § 40.—“*R. S.*, c. 3, § 34” should read “*R. S.*, c. 3, § 33.”
- “ 84, § 46.—“*See c. 18, § 67*” should read “*See c. 18, § 59.*”
- “ 86, § 59, ¶ i, (note b).—“*See c. 17, §§ 25-29*” should read “*See c. 17, §§ 27, 28.*”
- “ “ “ ¶ vi, (note e).—“*See c. 18, § 15*” should read “*See c. 18, § 17.*”
- “ 92, note.—“*c. 18, §§ 39, 103*” should read “*c. 18, §§ 39, 97.*”
- “ 97, § 16.—Erase “*R. S.*, c. 4, § 16.”
- “ 108, § 86.—“*Art. ii, § 2*” should read “*Art. ii, § 1, ¶ 2.*”
- “ 117, § 28.—Erase the first reference to “1878, c. 31, § 1.” Also erase “*R. S.*, c. 5, § 26.”
- “ 176, § 27.—“*Resolve of 1883, c. 20*” should read “*Resolve of 1883, c. 86.*”
- “ 183, § 5.—“*See § 93, ¶ 6*” should read “*See § 93, ¶ v.*”
- “ 202, § 102.—“1883, c. 229” should read “*See c. 115, § 1.*”
- “ 209, § 1.—Supply “1880, c. 215.”
- “ 210, § 7.—Supply “1880, c. 215.”
- “ 249, § 44.—“1875, c. 25, § 6” should read “1875, c. 25, § 6.”
- “ 270, § 16.—Supply “1880, c. 215.”
- “ 330, § 26.—“*See c. 40, § 77*” should read “*See c. 40, § 74.*”
- “ “ § 28.—“*See c. 40, § 38*” should read “*See c. 40, §§ 33, 40.*”
- “ 374, § 23.—“*See § 17*” should read “1880, c. 234, § 1.”
- “ 384, § 74.—Add “1883, c. 138, § 3.”
“1883, c. 144, § 4.”
- “ 506, § 1.—Supply “*See 1880, c. 215.*”
- “ 642, § 80, bottom of the page.—Supply “1878, c. 48, § 6.”
- “ 709, § 105.—“*See c. 134, § 13*” should read “*See c. 134, § 19.*”
- “ 773, § 42.—Supply “1883, c. 198, § 2.”
- “ 804, § 35.—“*See c. 134, § 26*” should read “*c. 134, § 26.*”
- “ 861, § 1.—“*R. S.*, c. 2, § 20,” } should read “1883, c. 221.”
“*R. S.*, c. 115, § 1.” }
- “ 862, § 4.—“*See c. 63, §§ 32 to 39*” should read “*See c. 63, § 35.*”

ERRORS IN CITATIONS OF CASES.

- Page 10, § 8, ¶ iii, (note c).—"14 *Pet.*, 504" should read "14 *Pet.*, 540."
 " 16, § 1, (note b).—"10 *Me.*, 483" should read "10 *Me.*, 283."
 " 78, § 5, (note a).—"13 *Me.*, 472, 489" should read "13 *Me.*, 472."
 " " § 7, (note b).—"12 *Me.*, 589" should read "12 *Me.*, 489."
 " 147, § 97.—"58 *Me.*, 528" should read "58 *Me.*, 532."
 " 166, § 1.—"64 *Me.*, 549" should read "64 *Me.*, 599."
 " 200, § 93, ¶ iv.—Erase "20 *Me.*, 545."
 " 211, § 19.—"3 *Me.*, 347" should read "3 *Me.*, 249."
 " 241, § 5, (note b).—"68 *Me.*, 28" should read "63 *Me.*, 28."
 " 257, § 80, (note a), Construction of ways.—"26 *Me.*, 340" should read "26 *Me.*, 240."
 " 397, § 1, (note a).—Erase "66 *Me.*, 526."
 " 521, § 2, (note a).—Erase "60 *Me.*, 377."
 " " § 9.—Erase "60 *Me.*, 533."
 " 563, § 10.—"31 *Me.*, 286" should read "31 *Me.*, 254."
 " 597, § 23.—"4 *Me.*, 19" should read "4 *Me.*, 8."
 " 705, § 78.—"43 *Me.*, 438" should read "48 *Me.*, 438."
 " 728, § 12.—Erase "68 *Me.*, 30."
 " 750, § 5.—Erase "20 *Me.*, 325."
 " 765, § 1, (note a).—Erase "73 *Me.*, 228."
 " 814, § 19, (note c).—Erase "71 *Me.*, 543."
 " 817, § 8, (note b).—"27 *Me.*, 363" should read "27 *Me.*, 362."
 " 885, § 1.—Erase "62 *Me.*, 285."
 " 886, § 8.—"36 *Me.*, 225" should read "36 *Me.*, 227."
 " 933, § 4.—"34 *Me.*, 478" should read "39 *Me.*, 478."

OMISSION IN REFERENCE INDEX TABLE, PART I.

Page 1060.—Supply "1878, c. 48, § 6," with a reference to "R. S., c. 77, § 80."

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND EIGHTY-THREE.

AN ACT TO REPEAL THE ACTS AND RESOLVES CONSOLIDATED IN THE REVISED STATUTES OF THE YEAR ONE THOUSAND EIGHT HUNDRED AND EIGHTY-THREE, AS WELL AS CERTAIN OBSOLETE OR TEMPORARY PUBLIC LAWS, PASSED SINCE THE SECOND REVISION, OR DESIGNED TO BE REPEALED AT THE TIME OF THE THIRD REVISION.

- SEC. 1. 1. List of repealed public acts from 1858 to 1883, inclusive.
2. List of repealed private and special acts from 1871 to 1883, inclusive.
3. Repeal of repealing acts does not revive acts by them repealed. Acts of incorporation declared public are not repealed. Acts repealed remain in force for certain purposes.
4. List of repealed resolves from 1832 to 1883, inclusive.
5. This act takes effect January 1, 1884.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SEC. 1. The public acts, passed during the years hereafter named and herein designated, are repealed, except so far as they are preserved or excepted in the following sections ; but no other acts are hereby repealed :

1858.

Chapters nine, twenty-two, forty-nine and fifty.

1859.

Chapters eighty-three, ninety and one hundred and twenty-two.

1860.

Chapter one hundred and seventy-two.

1861.

Chapter sixty-one.

1862.

Chapters seventy-one, one hundred and six, one hundred and eight, one hundred and forty-two, one hundred and fifty-three and one hundred and fifty-four.

1863.

Chapters one hundred and fifty-six, one hundred and seventy-eight, one hundred and seventy-nine, one hundred and eighty-two and two hundred and three.

1864.

Chapters two hundred and nineteen, section three of chapter two hundred and fifty-four, two hundred and fifty-five, two hundred and sixty-six and two hundred and seventy-three.

1865.

Chapters two hundred and eighty-two and two hundred and eighty-five.

1866.

Chapters one and forty-eight.

1867.

Chapters sixty, one hundred and nine and one hundred and thirty-three.

1868.

Chapters numbered one hundred and thirty-four to one hundred and fifty-eight, inclusive; also chapters one hundred and seventy and two hundred and sixteen.

1869.

Chapters one, nineteen and thirty.

1870.

Chapter eighty-nine, section seven of chapter one hundred and twenty-five, section two of chapter one hundred and thirty-one, and section two of chapter one hundred and fifty-eight.

1871.

All the chapters of the revised statutes of the year eighteen hundred and seventy-one, numbered one to one hundred and forty-three, inclusive. Also all the public laws of eighteen hundred and seventy-one, chapters numbered one hundred and seventy-seven to two hundred and thirty, inclusive, except

Chapter 183. An act additional to chapter 316 of the public laws of 1865, entitled "an act to enable the banks of this state to become banking associations under the laws of the United States," and

Chapter 201. An act to promote immigration into this state.

1872.

Chapters numbered one to eighty-seven, inclusive, except

Chapter 1. An act relating to the superior court for Cumberland county,

Chapter 8, section 1, of an act to change the place of holding the supreme judicial court in the county of Somerset and to change the shire town of Somerset county.

Chapter 22, section 2, of an act to repeal chapter 187 of the public laws of 1871 relating to the organization of corporations, and

Chapter 33. An act to authorize the formation of companies of cadets in this state.

1873.

Chapters numbered eighty-eight to one hundred and fifty-four, inclusive, except

Chapter 94. An act additional to chapter 29 of the [public] laws of 1869, concerning the militia,

Chapter 96. An act to amend section 1, of chapter 84 of the [public] laws of 1870, relating to letters of administration,

Chapter 112. An act to provide for the enrolment of the militia, and

Chapter 132. An act to amend section 3, of chapter 29 of the public laws of 1869, relating to the militia.

1874.

Chapters numbered one hundred and fifty-five to two hundred and sixty-six, inclusive, except

Chapter 186, section 4, of an act relating to recording devises of real estate in the registry of deeds,

Chapter 194. An act relating to the appointment of trustees in the State College of Agriculture and the Mechanic Arts,

Chapter 199, section 1, of an act relating to the unfinished records of deeds, made by the late register of deeds for Cumberland county,

Chapter 211. An act to supply the people of the towns of Brunswick and Topsham and of the city of Bath with pure water,

Chapter 260. An act concerning the militia, and

Chapter 261. An act amendatory of an act concerning the militia.

1875.

Chapters numbered one to fifty-seven, inclusive, except

Chapter 23. An act additional to chapter 29 of the public laws of 1869, concerning the militia, and

Chapter 26, section 5, of an act to repeal chapter 314 of the resolves of 1874, and to revive all acts and parts of acts repealed by said chapter 314 of the resolves of 1874, and to amend chapter 76 of the public laws of 1872, and

Chapter 48, sections 4 and 6, of an act renewing a portion of the public debt, discontinuing the sinking fund of 1865, and abolishing the office of commissioner of the sinking fund.

1876.

Chapters numbered fifty-eight to one hundred and forty-eight, inclusive, except

Chapter 86. An act additional to chapter 29 of the public laws of 1869, concerning the militia, and

Chapter 118. An act to amend section 3 of chapter 29, of the public laws of 1869, concerning the militia.

1877.

Chapters numbered one hundred and forty-nine to two hundred and nineteen, inclusive, except

Chapter 201. An act additional to chapter 29 of the public laws of 1869, concerning the militia.

1878.

Chapters numbered one to seventy-nine, inclusive, except

Chapter 49. An act more fully to carry out the proviso of section 10 of the act of Congress, chapter 177, of the acts of 1868, making compensation for the lands assigned by Maine to settlers.

1879.

Chapters numbered eighty to one hundred and sixty-seven, inclusive, except

Chapter 48, section 6, of an act additional to "an act to facilitate the prompt administration of justice by establishing a superior court in Kennebec county,"

Chapter 150, section 9, of an act establishing the salaries of certain state and county officers, and fixing the number, and regulating the pay and compensation of certain state employes,

Chapter 155. An act to regulate the taking and shooting of pigeons [in the towns of Harmony and Hartland,] and

Chapter 165, section one, of an act to amend chapter 10 of the public laws of 1878.

1880.

Chapters numbered one hundred and sixty-eight to two hundred and forty-nine, inclusive, except

Chapter 172, section 1, of an act to amend chapter 161, section 2, of the public laws of 1879, relating to the State valuation,

Chapter 196. An act additional to the several acts establishing the county of Piscataquis,

Chapter 201, section two, of an act concerning the acknowledgment of deeds,

Chapter 204. An act to incorporate the steam heating and power company,

Chapter 216. An act to incorporate the steam heating and power company for the city of Bangor,

Chapter 225. An act concerning the militia, and

Chapter 245. An act to authorize the treasurer of State to procure a loan of three hundred and seven thousand dollars.

1881.

Chapters numbered one to ninety-eight, inclusive, except

Chapter 2. An act to amend section 168, chapter 225, public laws of 1880, relating to the militia,

Chapter 40. An act to amend section 156 of chapter 225 of the public laws of 1880, concerning the militia,

Chapter 55. An act in relation to fees for travel and attendance in the Superior court of Kennebec county, and

Chapter 57, section 3, of an act to amend chapter 144 of the public laws of 1876, entitled "an act relating to insurance companies."

1883.

Chapters numbered ninety-nine to two hundred and fifty-one, inclusive, except

Chapter 137, sections 1 to 6, inclusive, of an act to provide for the establishment of titles to lands among the Penobscot Indians and for the preservation of evidence of such titles,

Chapter 149. An act to apportion the State for representatives to Congress,

Chapter 156, section 2, of an act giving further authority to notaries public to take acknowledgments and administer oaths,

Chapter 163. An act in relation to the jurisdiction of the municipal court of the city of Portland,

Chapter 196. An act to provide for the addition of one member to the board of trustees of the State College of Agriculture and the Mechanic Arts, and to take such member from the graduates of the college,

Chapter 210. An act to establish the line between the counties of Somerset and Piscataquis,

Chapter 217, sections 1 and 2, of an act to complete the records in Cumberland county registry of deeds, and

Chapter 251. An act fixing the time when other acts and resolves shall take effect.

SEC. 2. The private and special acts passed during the years hereafter named and herein designated are repealed; but no other such acts are hereby repealed:

1871.

Chapter 648. An act giving the consent of the legislature of Maine to the purchase by the United States of land within this state for public purposes.

Chapter 649. An act for the relinquishment to the United States in certain cases, of title to lands for sites of light stations on the coast and waters of the State.

1872.

Chapter 130. An act to amend chapter 649 of the private laws of 1871, relating to light houses.

1877.

Chapter 320. An act to amend chapter 649 of the private and special acts of the year 1871, entitled "an act for the relinquishment to the United States, in certain cases, of title to lands for sites of light stations on the coast and waters of the State of Maine."

SEC. 3. The repeal of the acts aforesaid does not revive any of the acts repealed by them. Acts of incorporation declared to be public acts are not repealed. The acts declared to be repealed remain in force for the trial and punishment of all past violations of them; and for the recovery of penalties or forfeitures already incurred; and for the preservation of all rights and their remedies existing by virtue of them; and

so far as they apply to any office, trust, judicial proceeding, right, contract, limitation, or event, already affected by them.

SEC. 4. The resolves passed during the years hereafter named and herein designated are repealed; but no other resolves are hereby repealed:

1832.

Chapter 16. Resolve providing for the promulgation of the laws of the State.

1854.

Chapter 190. Resolve in relation to the promulgation of the laws of the State.

1875.

Chapter 68. Resolve relating to the advertising of the public laws.

1876.

Chapter 196. Resolve relating to the pay of the officers of the state prison.

1877.

Chapter 282. Resolve in favor of education in the state prison.

1883.

Chapter 86. Resolve fixing the time when the Penobscot tribe of Indians shall hold their election.

Chapter 149. Resolve fixing the salary of the Bank Examiner.

SEC. 5. This act shall take effect on the first day of January, eighteen hundred and eighty-four.

IN THE HOUSE OF REPRESENTATIVES, August 29, 1883.

This bill, having had three several readings, passed to be enacted.

J. MANCHESTER HAYNES, *Speaker*.

IN SENATE, August 29, 1883.

This bill, having had two several readings, passed to be enacted.

JOHN L. CUTLER, *President*.

August 29, 1883. Approved.

FREDERICK ROBIE, *Governor*.